

# Exhibit A

Joanne Dowd  
58 Lakeside Drive  
Muncy Valley, PA 17758

Plaintiff

v.

Credit Control, LLC  
3300 Rider Trail S, Suite 500  
Earth City, MO 63045

Defendant

IN THE LYCOMING COUNTY  
COURT OF COMMON PLEAS

Civil Action

No. CV22-01045

Jury Trial Demanded

FILED  
MAY 26 11:32

LYCOMING COUNTY

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by plaintiff(s). You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

IF YOU DO NOT HAVE A LAWYER  
CONTACT:

Pennsylvania Bar Association  
Lawyer Referral Service  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108-0186  
Telephone (800) 692-7375

IF YOU CANNOT AFFORD A LAWYER,  
YOU MAY BE ELIGIBLE FOR LEGAL  
AID THROUGH:

North Penn Legal Services  
Penn Tower Building  
25 W. Third Street, Suite 400  
Williamsport, PA 17701  
Telephone (570) 323-8741

Joanne Dowd,  
Plaintiff  
v.  
Credit Control, LLC,  
Defendant

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**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter “the Act”). Defendant illegally disclosed information about Plaintiff to a third-party, in direct violation of the Act.

**II. JURISDICTION AND VENUE**

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this Court is proper in that Plaintiff resides here, the conduct complained of occurred here, and Defendant transacts business here.

**III. PARTIES**

4. Plaintiff is a natural person residing at 58 Lakeside Drive, Muncy Valley, PA, 17758.

5. Plaintiff is, and at all relevant times was, a “consumer” as defined by 15 U.S.C. § 1692a(3).

6. Credit Control, LLC is an entity with an address of 3300 Rider Trail S, Suite 500, Earth City, MO 63045.

7. The principal purpose of Defendant’s business is the collection of debts.

8. Defendant has reason to believe that a non-trivial portion of the accounts that it collects are for obligations for which the money, property, insurance or services which were the subjects of the transactions were primarily for personal, family, or household purposes.

9. Defendant has reason to believe that it is probably true that the principal purpose of its business is the collection of “debt” as that term is defined by 15 U.S.C. § 1692a(5).

10. Defendant regularly attempts to collect debts asserted to be due to another. The term “debt” is used in this allegation as that term is defined by 15 U.S.C. § 1692a(5).

11. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6).

#### IV. STATEMENT OF CLAIM

12. The foregoing paragraphs are incorporated herein by reference.

13. Congress enacted the Act to prevent real harm. Congress found that “abusive debt collection practices [we]re carried on to a substantial extent in interstate commerce and through means and instrumentalities of such commerce.” 15 U.S.C. § 1692(d).

14. One of the abusive debt collection practices the Act was designed to curb was “invasions of individual privacy.” 15 U.S.C. § 1692(a).

15. In order to help achieve this goal, the Act prohibits, absent a few exceptions not relevant to the present matter, a debt collector from communicating with a third-party in connection with the collection of a debt. 15 U.S.C. § 1692c(b).

16. Credit Control, LLC is a company which was attempting to collect an alleged debt (“the Debt”) from Plaintiff.

17. On or shortly before December 2, 2021, Credit Control, LLC decided to send a letter to Plaintiff regarding the Debt.



18. However, rather than preparing and mailing the letter to Plaintiff on its own, Credit Control, LLC chose to utilize a third-party vendor to perform these services on its behalf. The factual contentions in this paragraph will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

19. As part of this process, Credit Control, LLC conveyed information regarding the Debt to the third-party vendor.

20. The information Credit Control, LLC conveyed to the third-party included Plaintiff's name, address, status as a debtor, as well as the precise amount of the Debt and the entity to which Plaintiff allegedly owed the Debt.

21. The conveyance of this information to the third-party constituted a "communication" as that term is defined in 15 U.S.C. § 1692a(2).

22. The conveyance of this information to the third-party was a communication made in connection with the collection of a debt. *See Hunstein v. Preferred Collection & Mgmt. Servs., Inc.*, 17 F.4th 1016 (11th Cir.), *reh'g en banc granted, opinion vacated*, 17 F.4th 1103 (11th Cir. 2021)(case dismissed on jurisdictional grounds); *Khimmat v. Weltman, Weinberg and Reis Co., LPA*, --- F. Supp.3d ---, 2022 WL 356561 (E.D. Pa. Feb. 7, 2022); *Jackin v. Enhanced Recovery Co., LLC*, --- F. Supp.3d ---, 2022 WL 2111337 (E.D. Wash. June 10, 2022).

23. The third-party then, at the direction of Credit Control, LLC, utilized this information to generate and mail a letter to Plaintiff.

24. This collection letter was a "communication" as that term is defined in 15 U.S.C. § 1692a(2).

25. The collection letter was mailed on or about December 2, 2021. A redacted copy of this collection letter is attached as Exhibit A.

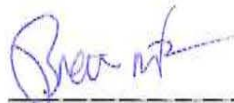
26. Plaintiff never consented to Credit Control, LLC communicating with the third-party vendor in connection with the collection of the Debt.

27. By improperly conveying information regarding Plaintiff to a third-party in connection with the collection of a debt, Credit Control, LLC violated 15 U.S.C. § 1692c(b). *See Hunstein v. Preferred Collection & Mgmt. Servs., Inc.*, 17 F.4th 1016 (11th Cir.), *reh'g en banc granted, opinion vacated*, 17 F.4th 1103 (11th Cir. 2021)(case dismissed on jurisdictional grounds); *Khimmat v. Weltman, Weinberg and Reis Co., LPA*, --- F. Supp.3d ---, 2022 WL 356561 (E.D. Pa. Feb. 7, 2022); *Jackin v. Enhanced Recovery Co., LLC*, --- F. Supp.3d ---, 2022 WL 2111337 (E.D. Wash. June 10, 2022)

28. WHEREFORE, Plaintiff demands judgment against Defendant for statutory damages of no more than \$1,000.00, costs, attorney's fees, and such other and further relief as deemed just and proper.

V. DEMAND FOR JURY TRIAL

29. Plaintiff demands a trial by jury as to all issues so triable.




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Brett Freeman  
Bar Number: PA 308834  
Freeman Law  
210 Montage Mountain Road  
Moosic, PA 18507  
Attorney for Plaintiff  
Phone (570) 589-0010

**CERTIFICATION OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

  
\_\_\_\_\_  
Brett Freeman  
Bar Number: PA 308834  
Freeman Law  
210 Montage Mountain Road  
Moosic, PA 18507  
Attorney for Plaintiff  
Phone (570) 589-0010

**Verification of Complaint and Certification by Plaintiff**

Plaintiff, Joanne Dowd, being duly sworn according to law, deposes as follows:

1. I am a plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in the cost of litigation to the Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01 / 23 / 2023

*joanne dowd*  
Joanne Dowd, Plaintiff



**EXHIBIT A**

Letter Dated December 2, 2021

Letter Date  
12/02/2021

**Credit Control, LLC**  
3300 Rider Trail S, Suite 500  
Earth City, MO 63045  
877-431-7784

Hours of Operation (ET):  
M - TH 9a.m. - 6p.m.  
F 8a.m. - 5p.m.

### Your Account Information

Current Creditor: LVNV Funding LLC  
Original Creditor: Credit One Bank, N.A.

Our Acct.#: [REDACTED]  
Orig. Acct.#: [REDACTED]  
Amount Due: \$1,838.55

### Savings Options

Dear Joanne Dowd, please be advised, our client, LVNV Funding LLC, has placed the above-referenced account with our office for collection. We have developed the following option(s) for you to resolve your account for less than the total Amount Due.

1. Resolve your account in 1 payment of \$920.00. You save \$918.55!
2. Resolve your account in 6 consecutive monthly payments of \$169.00. You save \$824.55!
3. Resolve your account in 12 consecutive monthly payments of \$92.00. You save \$734.55!

Upon completion of one of the options above, your account will be considered resolved. This offer will remain open until 12/23/2021. We are not obligated to renew this offer.

### Payment Instructions

- ✓ Make a payment via our website at [www.credit-control.com](http://www.credit-control.com).
- ✉ Submit payment via U.S. mail to: PO BOX 100, HAZELWOOD MO 63042.  
Please include your account number in the memo section of your check or money order.
- ☎ Call us toll-free at 877-431-7784 to make payment arrangements. Calls are recorded and may be monitored for quality assurance purposes. You may ask for Mike Riley.

### Please Read Important Disclosures

This communication from a debt collector is an attempt to collect a debt. Any information obtained will be used for that purpose.

NOTICE: DISCLOSURES MAY CONTINUE ON THE REVERSE SIDE

PO BOX 51790  
LIVONIA MI 48151-5790



RETURN SERVICE REQUESTED

### Payment Instructions

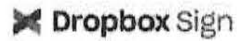
- Please Read Important Disclosures

This communication from a debt collector is an attempt to collect a debt. Any information obtained will be used for that purpose.



Received 15 January 1998; accepted 15 July 1998

JOANNE DOWD  
58 LAKESIDE DR  
MUNCY VALLEY PA 17760-9537



## Audit trail

**Title** Complaint.pdf  
**File name** Complaint.pdf  
**Document ID** 9a2882a3b36ca485e32aa878f51adfa464acf4ce  
**Audit trail date format** MM / DD / YYYY  
**Status** Signed

This document was requested from app.clio.com

## Document History



01 / 23 / 2023  
18:23:40 UTC

Sent for signature to Joanne Dowd (sekeeta24@gmail.com) from shannon@freeman.law  
IP: 73.101.254.150



01 / 23 / 2023  
19:08:16 UTC

Viewed by Joanne Dowd (sekeeta24@gmail.com)  
IP: 129.222.82.97



01 / 23 / 2023  
19:35:21 UTC

Signed by Joanne Dowd (sekeeta24@gmail.com)  
IP: 129.222.82.97



COMPLETED

01 / 23 / 2023  
19:35:21 UTC

The document has been completed.

**COURT OF COMMON PLEAS  
LYCOMING COUNTY, PENNSYLVANIA  
CASE MONITORING NOTICE**

Joanne Dowd,  
v.  
Credit Control, LLC

Plaintiff  
Defendant

Docket No. CV22-01045  
Civil Action

FILED  
JAN 26 11:32 AM  
LYCOMING COUNTY

I. This matter is:

☐ Mortgage Foreclosure (file once an Answer has been filed). Time needed for trial  
☐ (1 day) ☐ ( ½ day).

☐ Credit Card Collection Case (file once an Answer has been filed)

a) ☐ Arbitration. (\$50,000 or less) Time needed for discovery? ☐ months

b) ☐ Trial. Time needed for discovery? ☐ months

☐ Forfeiture (file once an Answer has been filed)

☐ Administrative Agency Appeal (file with Notice of Appeal)

☒ General Civil Case (file with Complaint):

a) ☐ Arbitration. (\$50,000 or less) Time needed for discovery? 9 months

b) ☐ Fast track (4 month discovery period)

c) ☒ Normal track (9 month discovery period)

d) ☐ Complex track (12 month discovery period)

e) ☐ Medical Malpractice (14 month discovery period)

☐ Other. Action requested: None

II. Jury trial demanded? ☒ Yes ☐ No

III. Please note any special scheduling concerns: None

Name of filing counsel or pro se party:

Brett Freeman for Plaintiff

Address: FREEMAN LAW, 210 Montage Mountain Road, Moosic, PA 18705

Telephone: 570-589-0010

Email address: brett@freeman.law

Opposing counsel or pro se party: not yet known.